

Senate Bill No. 1879

CHAPTER 334

An act to amend Section 25633 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 8, 1996. Filed with
Secretary of State August 8, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1879, Rosenthal. Alcoholic beverages: delivery.

The Alcoholic Beverage Control Act provides that no alcoholic beverage may be delivered to an on-sale or off-sale alcoholic beverage licensee on Sunday or except between the hours of 6 a.m. and 8 p.m. of any day other than Sunday. Existing law also provides that beer and wine may be delivered to those licensees between the hours of 4 a.m. and 8 p.m. on any day other than Sunday and may be delivered at the platform of the manufacturing, producing, or distributing plant at any time. Existing law provides that these provisions do not prohibit the transportation or the carriage and delivery in transit at any time of beer or wine between the premises of a manufacturer, winegrower, wholesaler, distiller, importer, or any of them.

This bill would instead provide that any alcoholic beverage may be delivered to on-sale and off-sale licensees between the hours of 3 a.m. and 8 p.m. on any day other than Sunday and to those specified plants at any time. This bill would also extend the application of the provision for the transportation or the carriage and delivery of beer and wine between the premises of a manufacturer, winegrower, wholesaler, distiller, or importer to any alcoholic beverage.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 25633 of the Business and Professions Code is amended to read:

25633. Except as otherwise provided in this section, no person licensed as a manufacturer, winegrower, distilled spirits manufacturer's agent, rectifier, or wholesaler of any alcoholic beverage shall deliver or cause to be delivered any alcoholic beverage to or for any person holding an on-sale or off-sale license on Sunday or except between the hours of 3 a.m. and 8 p.m. of any day other than Sunday. Any alcoholic beverage may be delivered at the

platform of the manufacturing, producing, or distributing plant at any time. Nothing contained in this section prohibits the transportation or the carriage and delivery in transit at any time of any alcoholic beverage between the premises of a manufacturer, winegrower, wholesaler, distiller, importer, or any of them. Every person violating the provisions of this section is guilty of a misdemeanor.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to allow delivery trucks to avoid traffic delays caused by vacation travel this summer and fall by being able to make deliveries of alcoholic beverages during expanded hours, it is necessary that this act take effect immediately.

